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HDP/SB/21 based on PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/086,304	
	<b>Filing Date</b>	February 28, 2002	
	<b>First Named Inventor</b>	Peter P. Pronko et al.	
	<b>Group Art Unit</b>	1753	
	<b>Examiner Name</b>	Edna Wong	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	2115D-002245

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Response to Restriction Requirement; and return receipt postcard</b>
<b>Remarks</b>		<b>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Linda M. Deschere	Reg. No. 34,811
Signature			
Date	12/17/03		

CERTIFICATE OF MAILING/TRANSMISSION			
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EV 406 075 586 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/086,304  
Filing Date: February 28, 2002  
Applicant: Peter P. Pronko et al.  
Group Art Unit: 1753  
Examiner: Edna Wong  
Title: Method for Laser Induced Isotope Enrichment  
Attorney Docket: 2115D-002245

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Director of The United States Patent and Trademark Office  
P.O. Box 1450  
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**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This is in response to the Restriction Requirement dated December 2, 2003, for which Response is being submitted before the due date of January 2, 2004.

Restriction was made with respect to the following inventions:

- I. Claims 1-28, drawn to a method for separating isotopes of an element, classified in class 204, subclass 157.2.
- II. Claims 29-39, drawn to a method for separating chemical species, classified in class 204, subclass 164.
- III. Claims 40-45, drawn to a method of modifying the ionic characteristics of a plasma, classified in class 250, subclass 282.

IV. Claim 46, drawn to a method for vaporizing aggregates in an ablation plume, classified in class 204, subclass 164.

Applicants provisionally elect Group I, Claims 1-28, given that the reply to the requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

Applicants elect with traverse on the basis that the invention of Groups I, II and IV, being in the same class and within the closely classified subclasses, does not pose an undue burden for examination on the Examiner. Applicants respectfully submit that even as to patentably distinct inventions defined in Groups I, II and IV, the policy of the U.S. Patent and Trademark Office is to not require restriction except for certain compelling reasons. Such compelling reasons are each directed to: separate classification; separate status in the art; and different field of search.

However, it has long been recognized that as to the field of search, the Office encourages reasonableness so as to not unduly burden applicants. Thus, only where "it is necessary to search for one of the distinct subjects in places where no pertinent art to the other subject exists, a different field of search is shown...." (*Chisum*, Vol. 4, part 12.02 *et seq.*). However, in the present situation, pertinent art to the subject matter of Groups I, II and IV within class 204 and subclasses 157.2 and 164 can reasonably be expected to show art in one subclass likely being relevant to each of the aforesaid Groups I, II and IV.

Therefore, although the inventions of the aforesaid groups are considered patentably distinct from one another, due to the field of search being closely related and having a high probability of over lapping, undue burden is not placed on the Examiner


and efficiency is served by examination of aforesaid Groups I, II and IV together, all classified in class 204, subclass 157.2 and 164.

By this present submission, Applicants make no admission as to the correctness of the requirement and this submission is being made to further prosecution to allowable subject matter.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 12/17/03

By:   
Linda M. Deschere  
Reg. No.34,811

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